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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Luis ROMERO-Corona (D1)
and
Alma Alicia TORRES-Melena (D2)

Magistrate Case No. '08 MJ 2343

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Alien Without Presentation

The undersigned complainant being duly sworn states:

On or about **July 29, 2008**, within the Southern District of California, defendants **Jose Luis ROMERO-Corona (D1)** and **Alma Alicia TORRES-Melena (D2)**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Arturo OCEGUEDA-Ramos**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

SIGNATURE OF COMPLAINANT
Alfredo Loperena, Enforcement Officer
U.S. Customs and Border Protection

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **31st** DAY OF **JULY, 2008**.

UNITED STATES MAGISTRATE JUDGE

OEK

PROBABLE CAUSE STATEMENT

The complainant states that **Arturo OCEGUEDA-Ramos** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 29, 2008, at approximately 1905 hours, **Jose Luis ROMERO-Corona (D1),** applied for entry into the United States from Mexico as the driver of a Red 1994 Dodge Ram Charger through the Otay Mesa Port of Entry. Accompanying D1, as a passenger in the vehicle, was **Alma Alicia TORRES-Melena (D2)**. During primary inspection before a U.S. Customs and Border Protection (CBP) Officer, D1 presented two Border Crossing Cards, one for himself and the other for D2. The CBP Officer suspected both D1 and D2 were Imposters to the documents presented for entry. While at the inspection booth CBP Officers discovered two undocumented aliens concealed in a non-factory compartment attached to the undercarriage of the vehicle. D1 and D2 were escorted to secondary office and vehicle was driven to vehicle secondary.

In secondary, CBP Officer lifted and removed the rear seat and carpeting revealing an access panel. One adult female and one adult male were discovered concealed inside the non-factory compartment. The adult female and the adult male were determined to be Mexican citizens with no entitlements or documents to enter the United States. The adult male was held as a Material Witness and is now identified as **Arturo OCEGUEDA-Ramos (Material Witness).** While in secondary, it was verified that D1 and D2 were imposters to the documents presented during vehicle primary. D1 and D2 were determined to be undocumented aliens and citizens of Mexico.

During a video recorded interview, D1 was advised of his Miranda rights. D1 acknowledged his rights and agreed to answer questions without benefit of counsel. D1 admitted he is a citizen of Mexico with no documents or other benefits that would permit his legal entry into the United States. D1 stated he was deported from the United States to Mexico by an Immigration Judge in 2004. D1 stated he has not applied for a pardon or received permission from the United States Government to re-enter the United States. D1 stated he was to receive a payment of $1050.00 U.S. dollars to smuggle the three undocumented aliens into the United States. D1 stated that D2 was placed as a visible passenger by the smugglers to ease his nerves in the smuggling event. D1 stated if successful in entering the United States he was to travel to Palm Avenue in Chula Vista, California where he was to drop off the undocumented aliens. D1 stated he was then to return to Tijuana, Mexico with the vehicle and documents and receive payment.

During a video recorded interview, D2 was advised of her Miranda rights. D2 acknowledged her rights and agreed to answer questions without benefit of counsel. D2 admitted she is a citizen of Mexico with no documents or other benefit that would permit her legal entry into the United States. D2 stated that she knew there were two undocumented aliens concealed in the undercarriage of the vehicle. D2 stated she was to receive a $1,000.00 U.S. dollar discount from the original price of $3,000.00 U.S. dollars to ride as a passenger in the vehicle. D2 stated the smugglers told her that by her participating in the smuggling act it would be a sure thing. D2 stated D1 presented the Border Crossing card for her and that she knew everyone in vehicle was

Continuation of Probable Cause
Re: U.S. v. Jose Luis ROMERO-Corona

undocumented. D2 stated she was present when the undocumented aliens were placed into the compartment. D2 stated if successful in the smuggling act she was to travel to Santa Ana, California where she was to seek employment.

During a separate videotaped interview, Material Witness declared he is a citizen of Mexico with no legal rights or entitlements to enter the United States. Material Witness stated he made his own smuggling arrangements with an unknown Hispanic male in Tijuana, Mexico. Material Witness stated he was going to pay $4,000.00 U.S. dollars to be smuggled into the United States. Material Witness stated if successful he was to travel to Los Angeles, California where he was to seek employment and resume residency.